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Attorneys for Friant Defendants

[Counsel of record listed on Appendix A]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, INC., et al.,

Plaintiffs,

v.

KIRK RODGERS, a Regional Director of
the UNITED STATES BUREAU OF
RECLAMATION, et al.,

Defendants.

ORANGE COVE IRRIGATION
DISTRICT, et al.,

Defendants-Intervenors.

Case No. S-88-1658-LKK/GGH

**STIPULATION AND ORDER
REGARDING SUBPOENA FOR
DOCUMENTS IN A CIVIL CASE
SERVED UPON THE CALIFORNIA
DEPARTMENT OF WATER
RESOURCES AND THE STATE
RECLAMATION BOARD, NON PARTIES**

Judge: Hon. Lawrence K. Karlton

The California Department of Water Resources and the State Reclamation Board (collectively, the "State Agencies") and Defendant Friant Water Users Authority ("Friant") hereby stipulate as follows:

1. Friant has served subpoenas duces tecum on the State Agencies in the case of *Natural Resources Defense Council v. Rodgers*, CIV-S-88- 1658 LKK/GGH. The State Agencies are not parties to the litigation.

2. The State Agencies have expressed concern that the volume of documents potentially responsive to the subpoenas is extensive. The State Agencies have therefore asked, and Friant has agreed, to attempt to narrow the scope of the document requests. Friant and the State Agencies have agreed that their counsel will meet next week to accomplish this task.

3. Friant and the State Agencies have agreed that the time for the State Agencies to respond to the subpoenas shall be extended and the State Agencies do not have to respond to the subpoenas by the dates indicated on the documents. Friant and the State Agencies have agreed that a new response date will be set after counsel meet and confer next week. Friant will make a reasonable attempt to accommodate the State Agencies' request for more time, within the constraints imposed by the December discovery cutoff dates.

4. The parties agree that the State Agencies' time for objecting to the subpoenas, pursuant to Federal Rule of Civil Procedure 45(c)(2)(B), is likewise extended.

Dated: _____

BEST BEST & KRIEGER

By: /s/ Jennifer T. Buckman
Jennifer T. Buckman
Attorneys for Friant Defendants

Dated: _____

BILL LOCKYER, Attorney General
of the State of California

By: /s/ Anita E. Ruud
Anita E. Ruud
Deputy Attorney General
Attorneys for California Department of
Water Resources and the State Reclamation
Board

IT IS SO ORDERED.

Dated: 10/20/05

/s/ Gregory G. Hollows

Honorable Gregory G. Hollows
United States Magistrate Judge

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